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SENSITIVE
SIPDIS

EUR/SCE(FOOKS, STINCHCOMB), INL (CARROLL), S/WCI
(VIBUL-JOLLES), INR (MORIN); EUR/ACE (DUNN, KEETON), DOJ
PASS TO OPDAT (ALEXNDRE) AND ICITAP
(TREVELLIAN/ZIMMON/DUCOT)

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [EAID](#) [EFIN](#) [KAWC](#) [KCRM](#) [KJUS](#) [BK](#)
SUBJECT: BOSNIA - INL-MANAGED SEED-FUNDED PROJECTS UPDATE:
FOCUS ON THE FOREIGNERS AFFAIRS SERVICE

REF: A. 08 SARAJEVO 1572

- [B](#). SARAJEVO 394
- [C](#). SARAJEVO 406
- [D](#). SARAJEVO 234
- [E](#). SARAJEVO 123
- [F](#). 08 SARAJEVO 1807

[1](#). (U) Summary: Extensive technical assistance in drafting governing legislation and rules of procedures along with significant USG investment in equipment and training facilitated the creation and rapid development of the new state-level Foreigners Affairs Service from an idea on paper to an effective organization working to prevent illegal foreign elements from using Bosnia and a safe haven for operations. The USG through the Department of Justice International Criminal Investigative Training Assistance Program (ICITAP) worked closely with Bosnian law enforcement interlocutors and civil servants in the Ministry of Security to establish the FAS in 2006. The FAS now has approximately 120 employees in 16 field centers working to ensure that long term visa and residence permits only go to bonafide applicants and to investigate and deport illegal aliens. In April ICITAP staff also made further improvements in the State Police Information Network (SPIN) and provided assistance to the newly established state-level Institute for Forensics and the Criminal Justice Faculty of the University of Sarajevo. DoJ's Overseas Prosecutorial Development Assistance and Training Program (OPDAT) moderated a regional conference for prosecutors and other officials regarding organized crime, and met with state-level Ministry of Justice officials to advance the idea of asset forfeiture management in Bosnia, an idea that has been embraced by some Bosnian government officials. These activities all made strong contributions to the achievements of Post's Mission Strategic Plan (MSP) objectives of helping Bosnia combat terrorism at home and abroad and to strengthen state-level law enforcement and judicial institutions. End Summary

Foreigners Affairs Service Stood Up and Operational

[2](#). (SBU) Created in the Fall of 2006, the Foreigners Affairs Service is charged with fighting illegal immigration and human trafficking throughout the country. The USG has close cooperation with the FAS, especially in the areas of combating human trafficking, organized crime and terrorism. The FAS has focused special attention on enforcing the newly revised Law on Movement and Stay of Aliens and Asylum,

specifically on identifying foreign fighters who illegally obtained BiH citizenship and remained in BiH following the end of the 1992-1995 war so that they can be detained and expelled.

13. (U) Through the ICITAP program, the USG provides the Foreigners Affairs Service (FAS) an advisor, who provides technical assistance to the FAS as they continue to develop their organizational and operational capacities as a state-level law enforcement agency. The FAS Advisor recommended legislative changes and has assisted in the development of Book of Rules and Policies and Procedures. He also helped the FAS develop policies and procedures for BiH's first alien detention center, which opened recently and is patterned on similar facilities in the U.S. Following a security assessment of the new alien detention center, the FAS Advisor made recommendations to increase the safety and security of the alien detention center, including the development of a Book of Rules for the Sector for Readmission, Admission and Accommodating of Foreigners. He has also worked closely with all of the directorates within the FAS in the development of an Operational Requirements Based Budget Process for long range planning and provided guidance to the FAS regarding the development of a classified information security program.

14. (U) To date, ICITAP has donated automobiles, office equipment -- including computers, combination printer/fax/copy machines and UPS units -- for FAS Headquarters and each of the 16 Field Centers. Additional equipment consisting of binoculars, night vision binoculars, ASP batons, hand held radios, radio remotes, office scanners

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and routers were also donated to FAS investigators. ICITAP's total support for the FAS including equipment and specialized training is approximately USD 700,000. In regular meetings with Embassy staff, FAS Director Dragan Mektic and Deputy Director Izet Nizam have stressed that without USG assistance the FAS could never have become operational so quickly.

15. (U) The USG's \$700,000 investment in the FAS has been significantly multiplied by cost-sharing contributions by the BiH government as well as infrastructure donations planned by the European Union. The new FAS Immigration Center was built with contributions of approximately \$400,000 from the FAS budget itself and \$250,000 from the BiH Ministry of Security. The EC is currently planning to invest in the construction of a new Asylum Center that will be utilized by the Ministry of Security with the assistance of the FAS.

16. (SBU) Along with several country-wide raids targeting Chinese aliens and Albanian aliens working illegally in BiH, the FAS has already been utilizing its Immigration Center to detain illegal aliens, deemed threats to public security. Since October 6, 2008 Syrian-born foreign fighter Imad Al-Hussein (better known as Abu Hamza al Suri) has been in FAS custody at the Immigration Center. Al-Hussein had been stripped of BiH citizenship but per a Constitutional Court order, cannot be deported until the State Court makes a final decision as to whether or not the resulting separation from his family would constitute a violation of his human rights under the European Convention for Human Rights (Refs A and B). Al-Hussein currently has no legal right to reside in Bosnia, but the Immigration Center provides a controlled environment to ensure that potential deportees pose no threat to themselves or the general public. On April 24, a Tunisian citizen, Amar Al-Hansi, whose BiH citizen had been stripped in 2001, was arrested after having allegedly presented false documents to the FAS. Al-Hansi is being currently housed in the FAS Immigration Center while a decision on possible deportation is made. On May 4, the FAS along with Federation police arrested two former foreign fighters, Awad Aiman from Syria and Abdulla ba Awra from Iraq, and brought them to the Immigration Center in Lukavica. We are told that neither have legal residence permits nor possess valid BiH documents.

The two will be investigated and are subject to deportation if they fail to demonstrate a legal right to BiH residency.

¶7. (SBU) The FAS is part of an inter-agency Task Force that was organized as a result of an ICITAP initiative. This Task Force will target six individuals who have had their BiH citizenship revoked but have not been deported because the appeals process is ongoing. The Task Force will monitor these individuals activities as they all have been identified as risks to BiH's national security by senior law enforcement officials.

ICITAP Helping State-Level Police Agencies

¶8. (U) ICITAP staff met with the new director of the Agency for Forensic Examinations and Expertise, Ljiljana Trisic, and her deputy, Damir Vejo, (Note: an alumnus of the International Visitor Program. End Note) to discuss assistance ICITAP could provide for developing a Book of Rules for this new agency. ICITAP has provided Trisic with information from US-based forensic organizations to assist in the development of the Book of Rules. USG assistance will help this new agency promote standardization and provide cost-saving forensics laboratory services to law enforcement agencies throughout the country. ICITAP assistance will seek as much as possible to foster cooperation between the forensics laboratories in Sarajevo and Banja Luka.

Training the Next Generation of Criminologists

¶9. (U) In April ICITAP presented the first in a series of crime scene investigation techniques lectures to third year criminal justice students at the University of Sarajevo. Two classes (50 students) participated in an interactive analysis of an actual crime scene and how to process the evidence contained at the scene. The next lecture is scheduled for

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early May. ICITAP is preparing to provide the University with forensic training equipment and supplies that will allow instructors to perform hands-on training in area of fingerprint lifting, foot and tire casting, narcotics testing, and ballistics. Fingerprint fuming chambers are also included in the donation. This \$27,432 donation builds on earlier donations provided at the end of 2008 in the amount of \$8,002, for a total donation of \$35,434. The earlier donation consisted of 146 books on law enforcement topics and computers, monitors and a printer to set up a computer laboratory for students, which is used to teach them how the police use the law enforcement applications and databases created by ICITAP and donated between 2000 and 2007 (i.e. Standardized Police Reporting System, Criminal Intelligence Data Acquisition, Border Crossing System, and the Border Police Reporting System.)

Putting the Final Touches on SPIN

¶10. (U) Throughout the month, the ICITAP IT engineer working with the Ministry of Security concentrated on State Police Information Network (SPIN) issues affecting SIPA in order to tighten up the links connecting Sarajevo to Mostar, Banja Luka and Tuzla. These links are under SIPA administrative control, but are also very important to the rest of the network. ICITAP began working on connecting the Foreigner Affairs Service (FAS) to SPIN. The network has been built up to the point that engineers can begin connecting the 16 FAS field offices throughout Bosnia to their headquarters in Sarajevo. ICITAP has already donated the equipment required for these offices to connect to network (i.e. routers and switches.) The next step is to extend SPIN itself to these offices. Meanwhile, the donated equipment can be used to connect the offices through other networking media: Internet, leased lines, ADSL, etc. The Embassy, ICITAP and the

Ministry of Security are in the process of coordinating the details for a donation ceremony to formally transfer ownership of the SPIN network to the Ministry of Security.

OPDAT Moderates Regional Conference

¶11. (SBU) The Embassy's Regional Legal Advisor, Barbara Carlin, on April 22 and 23 moderated a Spanish government-funded regional conference for prosecutors and other justice officials on organized crime in Sarajevo. The conference drew approximately 35 participants from the former Yugoslavia and from Austria, Germany, and Italy. Issues discussed ranged from problems associated with mutual legal assistance and international agreements, the difficulties faced in identifying appropriate contacts in Kosovo, and communication problems caused by the language barrier. By all accounts, the conference provided an excellent opportunity for participants to exchange contact information to facilitate better cooperation and coordination.

OPDAT Spurs Much-Needed Discussion at the State Court

¶12. (U) OPDAT had a follow-up session with the State Court's Judicial Education Committee on April 1 to discuss their interest in having OPDAT host a round table with the Court's appellate panel. The aim of the roundtable is to discuss sensitive issues, such as the panel's tendency to overturn or modify verdicts more than 60 percent of the time in defendants' favor, over the possibility of publishing dissent opinions, and the need to establish standards for appellate review. These issues have been the subject of national and international scrutiny, and in some instances, criticism, in the last year and a half. The discussion was used to open up much needed discussion and debate within the Court on these issues. OPDAT is continuing to work on the initiative.

Bosnian Authorities Working to Advance Asset Forfeiture

¶13. (U) As a follow-up to earlier discussions on asset forfeiture resulting from two seminars led by the U.S. Marshals on the issue, OPDAT met on April 2 with officials

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from the state-level Ministry of Justice. During the meeting, OPDAT was informed that there are plans to create a working group under the aegis of the Ministry of Security to draft laws, administrative policies, etc. RLA Barbara Carlin asked to be part of the working group, an idea that was welcomed by MOJ officials. Separately, in light of the ongoing discussions OPDAT has led on asset forfeiture management, State Court President Meddzida Kreso raised the idea of strengthening the asset forfeiture framework in Bosnia and the possibility of earmarking some or all of the funds forfeited for the judiciary during a recent meeting with the Ambassadors and other representatives of donor countries. She noted that she expects to raise these issues, which have gained more prominence in light of the significant cut to the Court's 2009 budget, in upcoming discussions with the State Ministry of Justice and other government officials.

Exploring Additional Funding Sources

¶14. (U) In order to further leverage the INL-managed SEED funds being utilized to finance Post's rule of law programs, the Security Working Group created a proposal to expand programmatic activities with S/CT and EUCOM Counter-Narcoterrorism (CNT) funds. Post has submitted an application for a project in conjunction with the CIVITAS program to reach out to at risk youth and counter extremist propaganda, so as to prevent them from being recruited into terrorist and criminal groups. Post also submitted a

multi-faceted proposal to EUCOM CNT Program. If approved, these projects, which would be implemented by several members of the Security Working Group, involve facilitating executive visits to the US regarding drug enforcement, providing training for expert witnesses for terrorism cases, donating equipment mobile evidence collection vans, providing narcotics testing kits to law enforcement officials, constructing shoot-houses, and building regional field stations for the Border Police to help them better interdict drug smugglers and potential terrorists.

ENGLISH